



WESTFIELD-WASHINGTON TOWNSHIP  
ADVISORY PLAN COMMISSION

December 6, 2021  
2112-PUD-29  
Exhibit 1

**Petition Number:** 2112-PUD-29

**Project Name:** Springwater

**Subject Site Address:** East of S. Union Street and 1/4 mile +/- North of 161st Street  
(the "Property")

**Petitioner:** Old Town Design Group

**Representative:** Apollo Developers

**Request:** A change in zoning for 48.8 acres +/- from AG-SF1: Agriculture / Single-family Rural District and from Lantern Park Planned Unit Development (PUD) to the Springwater PUD District.

**Current Zoning:** Lantern Park PUD and AG-SF1: Agriculture / Single-family

**Current Land Use:** Agriculture/Residential

**Approximate Acreage:** 48.8 acres +/-

**Exhibits:**

1. Staff Report
2. Location Map
3. Concept Plan
4. Proposed Ordinance 21-52
5. Character Exhibits
6. Open Space Amenity and Preservation Exhibit
7. Narrative Statement
8. Neighborhood Meeting Summary
9. Existing Variance (83-V-1)
10. Public Comment

**Staff Reviewer:** Rachel Riemenschneider, Associate Planner

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**PETITION HISTORY**

The petition was introduced at the November 9, 2021, City Council meeting. The petitioner hosted a virtual neighbor meeting on Wednesday, December 1, 2021. A summary of that meeting has been provided by the petitioner and is included as **Exhibit 8**. The petition will receive a public hearing at the December 6, 2021, Advisory Plan Commission (the "Plan Commission") meeting.

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## **PROJECT OVERVIEW**

**Location:** The Property is located generally East of S. Union Street and 1/4 mile +/- North of 161st Street (see **Exhibit 2**). The property is currently zoned as AG-SF1: Agriculture / Single-family Rural District and Lantern Park PUD.

**History:** A portion of the Property has an approved variance with two amendments (83-V-1, **Exhibit 9**) to allow the Antique Store, the signage on Union Street, and the accessory structures associated with the Antique Store. At the January 20, 1983, Board of Zoning Appeals meeting, Mr. Beauchamp, the current owner of the property, was granted a variance to operate an antique store out of the home and install a sign on Union Street. At the April 17, 1989, Board of Zoning Appeals meeting, Mr. Beauchamp requested and was approved for an amendment to 83-V-1 to (1) relocate the antique store from their garage to the barn and (2) to add an addition to the barn (48 feet by 48 feet). At the October 18, 1993, Board of Zoning Appeals meeting, Mr. Beauchamp sought and was granted another amendment to 83-V-1 to construct an additional storage building (36 feet by 72 feet) south of the existing barn, 4 feet off the property line.

**Concept Plan:** The proposed ordinance incorporates a Concept Plan (see **Exhibit 3**) which divides the District into three areas. The boundaries of the areas are required to be in substantial compliance with the Concept Plan, but the layout of each area may vary from the plan.

**Underlying Zoning District:** The proposed PUD Ordinance contains three different Subdistricts, for which the underlying zoning is:

<b>Subdistricts</b>	<b>Underlying Zoning</b>
Townhouses Subdistrict	SFA: Single-family Attached District
Single Family Subdistrict	SF4: Single-family High Density District
Private Residence & Store Subdistrict	AG-SF1: Agricultural / Single-Family Rural District

**Permitted Uses:** The proposed ordinance prohibits all Special Exception and Prohibited uses, and permits only the following uses:

**Townhouses Subdistrict:**

- A. Dwelling, Townhouse\*
- B. Development Amenities

**Single Family Subdistrict:**

- A. Dwelling, Single Family
- B. Development Amenities

**Private Residence & Store Subdistrict:**

- A. Dwelling, Single Family
- B. Retail, Low Density (Existing Antique Business)\*

\* Not permitted in underlying zoning district by UDO (13.2)

**General Regulations for the Private Residence & Store Subdistrict:** Currently there is a variance to allow the antique store use, to allow the sign on South Union street, to exempt the setback on the southern,

and to allow the current accessory structures. The Proposed Ordinance vacates this variance and permits the existing conditions on site.

Additionally, the new development would completely isolate the property where the existing home and business are located from the road; the text of the ordinance exempts the lot frontage requirement. The UDO (4.2(D)) requires 250 feet of lot frontage in AG-SF1.

**General Regulations for the Single Family Subdistrict:** The table below outlines the proposed lot standards as compared to the UDO's requirements for Single-family High Density district lots (the proposed underlying zoning).

Standard	Alley-Load	Front-Load	UDO (SF4)	
Minimum Lot Area	4,800 sf	6,800 sf	9,000 sf	
Minimum Lot Frontage	No minimum, however, all lots shall have vehicular access to a street (via, public street, private street, alley, or a shared ingress/egress easement)		40 ft	
Minimum Building Setback Lines				
Front Yard	10 ft	10 ft	25 ft	
Side Yard	5 ft	5 ft	8 ft	
Rear Yard	20 ft	30 ft	25 ft	
Minimum Lot Width	45 ft	60 ft	50 ft	
Maximum Building Height	35 ft	35 ft	25 feet	
Minimum Living Area	1,600 sf	1,600 sf	Single-story	1,000 sf
			Two-story	750 sf
			Tri-level (basement and first level)	750 sf
			Story and one-half	750 sf

**General Regulations for the Townhouses Subdistrict:** The table below outlines the proposed lot standards as compared to the UDO's requirements for Single-family Attached district lots (the proposed underlying zoning).

Standard	Townhome Hub	UDO (SFA)	
Maximum Density	Shall Not Apply	Four (4) Dwelling Units per acre	
Minimum Building Setback Lines			
Front Yard	Shall Not Apply	20 ft	
Front Setback Stagger	Shall Not Apply	Buildings with more than one adjacent unit shall stagger the Front Building Setback Line for each unit by at least four (4) feet.	
Minimum Distance Between Structures	15 ft	Structures with no vinyl exterior siding	25 ft
Project Perimeter Setback	Shall Not Apply	No structure shall be erected above the projected 1:2 Proximity Slope line from the perimeter of the project.	
Maximum Building Height	40 ft	35 ft	
Minimum Living Area	1,600 sf	A minimum of seventy-five percent (75%) of the Dwelling Units within a project shall be 1,500 square feet or greater.	
		Single-story	1,300 sf
		Story and one-half	1,600 sf
		Two-story	1,800 sf

**Overlay Districts:** US Highway 31 Overlay District would not apply to this PUD.

**Development Standards:** The ordinance proposes the following modifications to Development Standards:

**Accessory Buildings:** These standards apply to the new development, but do not apply to the existing structures in the Private Residence and Store Subdistrict.

**Architectural Standards:**

- **Townhouses and Single Family Subdistricts:** The character exhibits (**Exhibit 5**) will serve as a benchmark for the architecture within the development; the PUD also proposes several architectural features which will be used on the homes. The Department has requested that the Petitioner remove any standards that are unnecessary permissions instead of requirements; and that they move any requirements to the text of the Ordinance, leaving only images in the Area Exhibits. Per the UDO, Section 6.3(E) Multi-family District standards would

apply to the Townhome Subdistrict, but instead Section 6.3(C) shall apply to both subdistricts. Streetscape Diversity (6.3(C)(2) is exempted. Building materials (6.3(C)(3) is modified to limit the use of vinyl and aluminum siding to gutters, soffits, soffit trim, and similar components. Additionally, the PUD clarifies that all dwelling units will have an attached or detached two-car garage. The UDO requires a two-car garage in SFA districts.

- **Private Residence and Store Subdistrict:** Architectural Standards will not apply to existing buildings in this subdistrict.

**Landscape Standards:**

- **Street Trees:** Street tree standards shall apply, however the spacing may be increased to 200 feet along streets with alley-load single-family homes; the UDO limits spacing to a maximum of 60 feet but permits the Director to approve an increase in maximum spacing. Street trees are not required on alleys and private streets within the Townhouse subdistrict.
- **Foundation Plantings:** Foundation Planting Requirements shall not apply. Per the UDO, this would be required at the base of a Monument Sign and against expanses over 80 feet on the Townhouses only. The UDO (6.8(L)) requires 1 shrub or ornamental tree per 12 lineal feet.
- **External Street Frontage:** External Street Frontage requirements shall not apply. The UDO (6.8(M)) would require a landscaped area at least 30 feet deep with a minimum of 4 evergreen trees, 3 shade trees, 3 ornamental trees, and 25 shrubs per 100 lineal feet.
- **Buffer Yards:** The UDO's Buffer Yard standards shall not apply.
  - o **Private Residence & Store Subdistrict:** The PUD proposes there would be no buffer yard around this subdistrict. The UDO (6.8(N)) does not require a buffer yard because the underlying zoning is AG-SF1.
  - o **Single Family Subdistrict:**
    - In accordance with the UDO, the PUD does not require a buffer between the proposed development and Lantern Park. Both have the underlying zoning of SF4; a buffer is not required between two SF4 districts.
    - The PUD proposes to install either a buffer compliant with Buffer Yard B (see below) or a 30-foot Tree Preservation Easement adjacent to the AG-SF1 properties to the east and the cemetery to the north. The UDO requires Buffer Yard B (6.8(N)).

Chart: Buffer Yard Types

Buffer Yard Type	Planting Materials per 100 lineal feet				
	Width	Shade Trees	Evergreen Trees	Shrubs	Mound / Fence
Buffer A (small)	30 feet	3	3	10	none required
Buffer B (medium)	40 feet	4	4	10	4' tall undulating mound for at least 60% of the length of the shared Lot Line
Buffer C (large)	50 feet	5	5	20	4' tall undulating mound for at least 60% of the length of the shared Lot Line and a 6' - 8' tall opaque fence

- **Tree Preservation:** Trees will be preserved as shown in Open Space Amenity and Preservation Exhibit (**Exhibit 6**) and in accordance with the UDO's tree preservation standards (UDO 6.8(E)).

**Sign Standards:** In addition to the permitted residential monument sign, the PUD proposes one sign in compliance with UDO 6.17(H) for the Antique Store. Per the UDO, individual non-residential uses are permitted one monument sign per street frontage. Since the Antique Store has no frontage, the UDO would not permit a monument sign.

**Vision Clearance:** The PUD proposes reducing the Vision Clearance from Collectors and Local Streets from 40 feet (UDO 6.19(A)(1)) to 35 feet. They are increasing the Vision Clearance standard for Private Streets from 25 feet (UDO 6.19(A)(4)) to 35 feet. All internal intersections will meet the Vision Clearance Standards for Driveways and Alleys, 10 feet (UDO 6.19(A)(3))

**Infrastructure Standards:** As proposed, the PUD Ordinance defaults to the City's Construction Standards and the UDO, unless otherwise approved by the Public Works Department.

**Design Standards:** The ordinance proposed the following modifications to Design Standards:

**Open Space and Amenity Standards:** Open Space and Amenities will be provided in substantial compliance with the Open Space Amenity and Preservation Exhibit (**Exhibit 6**) and the UDO standards shall not apply. The UDO would require the following:

- **Single Family Subdistrict (SF4):** 15% open space
- **Townhome Subdistrict (SFA):** 35% open space and two qualifying amenities
- **Private Residence and Store Subdistrict (AG-SF1):** No requirements.

**Pedestrian Network Standards:** The PUD proposes a modification to UDO 8.7(C)(2), which requires sidewalks on both sides of internal Streets and Private Streets. Instead, the PUD would not require sidewalks on private streets on the rear of the townhomes nor along the road frontage of the cemetery.

Additionally, the PUD commits to extending the pedestrian trail along Union Street to the roundabout at 161<sup>st</sup> Street.

**Easements:** As proposed, there are several amenities and a legal drain easement located within the tree preservation easement. There are also homes whose backyards abut a tree preservation easement and may want to construct fences. The UDO (8.3(H)(1)) prohibits activities that would be required for the maintenance of these amenities, the access to the legal drain, or the construction of the fences. The Department is working with the petitioner to clarify that the language of the PUD and the exhibit ensure the trees are preserved while also taking these other factors into consideration.

**Termination of Existing Variances:** As proposed, the adoption of this PUD would repeal the existing variance for the Property (83-V-1), which permits the Antique store, signage, and accessory structures. The variance will be appealed when the secondary plat is recorded.

## **COMPREHENSIVE PLAN**

The [Westfield-Washington Township Comprehensive Plan](#) (the “Comprehensive Plan”) identifies the majority of this Property as being within the “Existing Suburban” land use classification. Indiana Code states that reasonable regard be paid to the Comprehensive Plan when considering zoning map changes; however, the Comprehensive Plan is not law. The Comprehensive Plan is intended to serve as a guide in making land use decisions.

The land uses contemplated for “Existing Suburban” are: Detached dwellings, Attached dwellings, Institutional uses, and Recreational uses.

Development Policies for “Existing Suburban” include:

- Promoting the protection of the existing suburban character of the area.
- Encouraging only compatible infill development on vacant parcels in existing neighborhoods as a means of avoiding sprawl.
- Permitting new development only upon a demonstration that it will not alter the character of the area, and will not generate negative land use impacts.
- Ensuring that infill development is compatible in mass, scale, density, materials, and architectural style to existing development.
- Ensuring that new development adjacent to existing suburban is properly buffered.

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## **PROCEDURAL**

**Council Introduction:** The petition was introduced at the November 9, 2021, City Council meeting.

**Public Hearing:** A change of zoning request is required to be considered at a public hearing by the Plan Commission. The public hearing for this petition is scheduled for the December 6, 2021, Plan Commission meeting. Notice of the public hearing was provided in accordance with Indiana law and the Plan Commission’s Rules of Procedure.

**Statutory Considerations:** Indiana Code 36-7-4-603 states that in the consideration of zoning ordinance amendments and zone map changes that reasonable regard shall be paid to:

1. The Comprehensive Plan.
2. Current conditions and the character of current structures and uses.
3. The most desirable use for which the land is adapted.
4. The conservation of property values throughout the jurisdiction.
5. Responsible growth and development.

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## **DEPARTMENT COMMENTS**

1. **Action:** Hold a public hearing at the December 6, 2021, Plan Commission meeting.
2. If any Plan Commission member has questions prior to the public hearing, then please contact Rachel Riemenschneider at 463-231-6649 or [rriemenschnieder@westfield.in.gov](mailto:rriemenschnieder@westfield.in.gov).